

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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BRIAN JORDAN and THERESA JORDAN,

Plaintiffs,

-against-

CITY OF ALBANY, FEDERAL MARINE TERMINALS, INC. and  
JOHN MCEWAN,

Defendants.

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**STIPULATION  
DISCONTINUING  
ACTION**

Lead Case- 1:09-cv-1054  
DEP/TJM

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BRIAN JORDAN and THERESA JORDAN,

Plaintiffs,

-against-

ALBANY PORT DISTRICT COMMISSION a/k/a PORT OF ALBANY

Defendants.

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**STIPULATION  
DISCONTINUING  
ACTION**

Member-Case 1:10-cv-  
437  
DEP/TJM

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of this action, the above entitled action be, and the same hereby is discontinued with prejudice as against ALBANY PORT DISTRICT COMMISSION a/k/a PORT OF ALBANY ONLY, without costs to either party as against the other.

IT IS HEREBY FURTHER STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that this Stipulation does not discontinue ALBANY PORT DISTRICT COMMISSION'S cross-claims against FEDERAL MARINE TERMINALS, INC.

This stipulation may be filed without further notice with the clerk of the Court.

DATED: January 27, 2011

DATED: January 20, 2011

O'CONNELL AND ARONOWITZ

NICOLETTI HORNIG & SWEENEY

By: 

By: 

Robyn B. Eisen, Esq.

Guerric Russell, Esq.

Attorneys for Plaintiffs

Attorney for Defendant Albany Port District Commission

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88 Pine Street, Seventh Floor

New York, New York 10005-1801

DATED: January 31, 2011

BENNETT, GIULIANO, MCDONNELL & PERRONE, LLP

By: 

Joseph Perrone, Esq.

Attorney for Defendant Federal Marine Terminals  
and John McEwan

494 Eighth Avenue, 7th Floor  
New York NY 10025

IT IS SO ORDERED:

SO ORDERED:



David E. Peebles  
U.S. Magistrate Judge

Dated: February 1, 2011